

## **NOTICE TO PURCHASERS OF NEW FIRE TRUCKS**

The sale and lease of new motor vehicles in Texas is regulated by the Texas Occupations Code, Title 14, Regulation of Motor Vehicles and Transportation, Chapter 2301, Sale or Lease of Motor Vehicles. The law is administered and enforced by the Texas Department of Transportation (TXDOT).

The law requires that vehicle manufacturers, converters, representatives, and franchised dealers be properly licensed and that they comply with certain standards of conduct.

**According to TXDOT interpretations, a franchised dealer, and only a franchised dealer, is legally allowed to sell a new fire truck in Texas. This applies whether the truck offered for sale is a manufactured vehicle or a converted vehicle.**

### **Manufactured Vehicles**

A fire truck that meets or exceeds the legal definition of a “fire-fighting vehicle” is considered a manufactured product and the entity that builds it is considered a “manufacturer”.

Manufacturers cannot sell motor vehicles directly to consumers in Texas, including municipalities, and must have at least one franchised dealer located in the state in order to maintain their license.

### **Converted Vehicles**

A fire truck that does not meet the legal definition of a “fire-fighting vehicle” is considered a converted product (conversion). It is a new motor vehicle chassis that has something substantial done to it prior to being sold to an end-user. The entity that builds it is considered a “converter”.

Neither converters nor their representatives are allowed to sell converted vehicles directly to consumers. A new fire truck that is considered a conversion may only be sold to an end-user, including a municipality, by a Texas dealer franchised and licensed to sell the make of the chassis of the converted product.

A licensed, franchised dealer must be listed as the seller or bidder of a new vehicle. This dealer must invoice the end-user for the entire purchase price of the vehicle including the conversion package, must obtain payment for the entire purchase price, and must perform the title work on the completed vehicle.

## **WHAT SHOULD A FIRE DEPARTMENT DO?**

1. Comply with the law:
  - Ø Determine that the manufacturer or converter of a fire truck is properly licensed to do business in Texas.
  - Ø Determine that the fire truck is to be sold to the end-user by a licensed franchised dealer.

2. Contact the TXDOT Motor Vehicle Division – Licensing Section for information:

Telephone: 877-366-8887

Website: <http://www.dot.state.tx.us/txdot.htm>

Click on: Automobile

Click on: Motor Vehicle Division – Licensing

The Texas Forest Service is providing this notice for educational purposes only, in an effort to promote compliance with the law. The final authority for communication, interpretation, and enforcement resides with the Texas Department of Transportation. Buyers and sellers of new fire trucks are encouraged to contact TXDOT directly for clarification and guidance. Failure to comply with the law may lead to civil penalties of up to \$10,000 per day.

08-03-2005